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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/796,249
	Filing Date	March 9, 2004
	First Named Inventor	Shane S. Owara et. al
	Art Unit	2171
	Examiner Name	Richard L. Ellis
Total Number of Pages In This Submission	Attorney Docket Number	112056-0167

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PATENTS
112056-0167
P01-1728

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re The Application of:
Shane S. Owara et al.

Serial No.: 10/796,249

Filed: March 9, 2004

For: SYSTEM AND METHOD FOR IN-
DEXING A BACKUP USING PER-
SISTENT CONSISTENCY POINT
IMAGES

Examiner: Not Yet Assigned

Art Unit: 2171

Cesari and McKenna, LLP
88 Black Falcon Avenue
Boston, MA 02210
December 10, 2004

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In keeping with the duty of candor and good faith owed to the Patent and Trade-mark Office, Applicants wish to bring to the Examiner’s attention the references listed on the accompanying form PTO-1449. A copy of each listed reference is enclosed.

To the extent required by 37 C.F.R. §1.98(a)(3), Applicants have described what they consider to be the relevance of any foreign-language reference. The Office may find additionally relevant material in these or other references.

PATENTS
112056-0167
P01-1728

Please charge any additional fee occasioned by this paper to our Deposit Account
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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Duane H. Dreger", is written over a horizontal line.

Duane H. Dreger
Reg. No. 48,836
CESARI AND MCKENNA, LLP
88 Black Falcon Avenue
Boston, MA 02210-2414
(617) 951-2500

PATENTS
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 1 of 4

Complete if Known

Application Number	10/796,249
Filing Date	March 9, 2004
First Named Inventor	Shane S. Owara et al.
Group Art Unit	2171
Examiner Name	Richard L. Ellis
Attorney Docket Number	112056-0167

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
		10/126,822		FEDERWISCH et al.		U.S. Patent Application filed April 19, 2002 entitled SYSTEM AND METHOD FOR CHECKPOINTING AND RESTARTING AN ASYNCHRONOUS TRANSFER OF DATA BETWEEN A SOURCE AND DESTINATION SNAPSHOT
		10/777,978		STEPHEN L. MANLEY		U.S. Patent Application filed February 12, 2004 entitled SYSTEM-INDEPENDENT DATA FORMAT IN A MIRRORED STORAGE SYSTEM ENVIRONMENT AND METHOD FOR USING THE SAME
		US2002/008 3037	A1	LEWIS et al.	06-27-2002	
		US2001/004 4807	A1	KLEIMAN et al.	11-22-2001	
		US2003/018 2313	A1	FEDERWISCH et al.	09-25-2003	
		US2004/003 0822	A1	RAJAN et al.	02-12-2004	
		US2002/017 5938	A1	HACKWORTH	11-28-2002	
		US2003/018 2325	A1	MANLEY et al.	09-25-2003	
		US2002/011 2022	A1	KAZAR et al.	08-15-2002	
		US2002/011 6593	A1	KAZAR et al.	08-22-2002	
		US2003/018 2322	A1	MANLEY et al.	09-25-2003	
		US2003/018 2312	A1	CHEN et al.	09-25-2003	
		US2003/018 2330	A1	MANLEY et al.	09-25-2003	
		6,574,591	B1	KLEIMAN et al.	06-03-2003	

FOREIGN PATENT DOCUMENTS

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		Office ³	Number ⁴	Kind Code ⁵ (if known)				
		WO	2004/01552 1	A3	PAWLOWSKI et al.	02-19-2004		

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First Named Inventor	Shane S. Owara et al.
Group Art Unit	2171
Examiner Name	Richard L. Ellis
Attorney Docket Number	112056-0167

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		Number	Kind Code ² (if known)			
		5,163,131		ROW et al.	11-10-1992	
		5,355,453		ROW et al.	10-11-1994	
		5,485,579		HITZ et al.	01-16-1996	
		5,802,366		ROW et al.	09-01-1998	
		5,931,918		ROW et al.	08-03-1999	
		5,941,972		HOESE et al.	08-24-1999	
		6,065,037		HITZ et al.	05-16-2000	
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		5,511,177		KAGIMASA et al.	04-23-1996	
		5,897,661		BARANOVSKY et al.	04-27-1999	
		6,185,655	B1	PEPING	02-06-2001	
		6,606,690	B2	PADOVANO	08-12-2003	
		5,819,292		HITZ et al.	10-06-1998	
		5,948,110		HITZ et al.	09-07-1999	
		5,963,962		HITZ et al.	10-05-1999	
		6,038,570		HITZ et al.	03-14-2000	
		6,119,244		SCHOENTHAL et al.	09-12-2000	
		6,138,126		HITZ et al.	10-24-2000	

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		"NETWORK APPLIANCE ENDS NAS/SAN WAR" by COMPUTERWIRE, http://www.theregister.co.uk/content/63/27368.html ; posted on February 10, 2002	
		CALLAGHAN B. "NFS Version 3 Protocol Specification", Request for Comments (RFC) 1813 June 1995	
		LU, Y. "Performance Study of iSCSI-Based Storage Subsystems", IEEE Communications Magazine, pp. 76-82, August 2003	
		Celerra File Server Architecture for High Availability, EMC2 where information lives, August 1999, pp. 1-7.	
		International Search Report for International Application No. PCT/US03/23661 filed on July 28, 2003, three pages, International Search Report mailed March 9, 2004.	
		Maintenance Procedures ND (8C) nd-network disk control February 1985	
		Misc. Reference Manual Pages ND (4P) nd-network disk driver 26 July 1985	
		Asante EN/SC Adapter Family Installation Guide May 1994	
		Asante Desktop EN/SC Adapters User's Manual April 1996	
		Performance Without Compromise: The Virtual Storage Architecture 1997	
		DAVID HITZ et al. TR3002 File System Design for a NFS File Server Appliance published by Network Appliance, Inc.	

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		Common Internet File System (CIFS) Version: CIFS-Spec 0.9, Storage Networking Industry Association (SNIA), Draft SNIA CIFS Documentation Work Group Work-in-Progress, Revision Date: 3/26/2001	
		Fielding et al. (1999) Request for Comments (RFC) 2616, HTTP/1.1	
		Stager et al., Network Data Management Protocol, Network Working Group Internet Draft Version 1.7.3, October 24, 1996	

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